

REMARKS

Claims 1-13 are pending in the present application. In the above amendments, Applicants amend claims 1 and 3 and traverse all rejections.

In the Office Action mailed August 11, 2004, claims 1 and 2 are rejected under 35 U.S.C. § 102(e) as being unpatentable over Olofsson et al. (U.S. 6,167,031), hereinafter referred to as Olofsson.

Applicants respectfully respond to this Office Action.

Claim Rejections – 35 USC § 102(e)

Claims 1 and 2 are rejected under 35 U.S.C. § 102(e) as being unpatentable over Olofsson.

Applicants' claims 1 and 2 are novel and patentable over Olofsson. Olofsson does not teach "a differential analyzer for determining changes in the measured link quality" as in claims 1 and 2. Olofsson instead recites calculating "mean values and variances of a received signal at the mobile station" (please see Olofsson column 12, lines 10-13). This is distinct from a differential analyzer for tracking changes in the measured link quality. Please see paragraphs [1038] and [1039] in Applicants' specification as originally filed for an embodiment of a differential analyzer. Because Olofsson does not teach every element and feature of Applicants' claims 1 and 2, they are patentable over Olofsson.

Applicants amend claims 1 and 3 in order to highlight the distinctions explained above and in order to expedite prosecution. Specifically, Applicants highlight the features of a quality metric and a differential quality metric to be transmitted to a base station to indicate link quality.

Allowable Subject Matter

Applicants gratefully acknowledge that claims 3-13 are in a position for allowance.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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